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**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF TEXAS**

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JAMES A. MCNEELY,

§

Plaintiff,

§

*versus*

§ CIVIL ACTION NO. 1:16-CV-51

MITCH WOODS, *et al.*,

§

Defendants.

§

**MEMORANDUM OPINION AND ORDER**

Plaintiff, James A. McNeely, a former pre-trial detainee at the Jefferson County Correctional Facility, proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 against the following defendants: former Sheriff Mitch Woods, “Jailer” Rod Carroll, Correctional Officer John Doe #1, Correctional Officer Regan, Kent Sims, Jane Doe #1, Jane Doe #2, and Correctional Officer Moss.

The court referred this matter to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends plaintiff’s motion for default judgment be denied.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, and pleadings. Plaintiff filed objections to the Magistrate Judge’s Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See FED. R. CIV. P. 72(b).*

After careful consideration, the court finds plaintiff’s objections are without merit. The defendants have not been ordered to answer in this cause. The Magistrate Judge issued an order

requiring officials responsible for the operation of the Jefferson County Correctional Facility to file a *Martinez Report* to assist the Court in screening this matter.

**ORDER**

Accordingly, the objections of the plaintiff are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**.

SIGNED at Beaumont, Texas, this 4th day of March, 2019.

  
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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE